



# WEEKLY REPORT

## ARIZONA GAME AND FISH DEPARTMENT

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### Arizona Game and Fish Commission

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**W** eekly Report is published by the Arizona Game and Fish Department Legislative Affairs Division. During the Legislative Session, we provide a summary of legislation that pertains to the Department. If there are issues you would like to address, please let us know. Send an email to: [aguiles@azgfd.gov](mailto:aguiles@azgfd.gov)

### AGFD Legislation NEWS:

- Today, May 4<sup>th</sup> marks the **138<sup>th</sup> day** of the First Regular Session of the 48<sup>th</sup> Legislature.
- We will be changing the format of the Weekly Report soon, please let us know what we can do to make this more user friendly.
- **HB 2443** *off-highway vehicle; user fee* is expected to be reconsidered. We will notify you when this is to occur.
- Two different **budgets** have passed the House and Senate. The Department received all requests in both budgets. Both budgets are identical in regards to the Department; there are discrepancies with other agencies and items. No word on when they will be resolved.

## POSTED CALENDARS AND COMMITTEE HEARINGS

### **H2443: OFF-HIGHWAY VEHICLES; USER FEE**

Possible Third Reading on Reconsideration.

**Quick Reference**  
**AGFD Related Legislation**  
(For Period Ending Friday May 4, 2007)

**STATUS OF BILLS AFFECTING THE DEPARTMENT**

**Support**

H2093: GOLDWATER RANGE; CONCURRENT JURISDICTION	The list of lands for which the federal government may request concurrent criminal jurisdiction with the state is expanded by adding the Barry M. Goldwater Range. <b>DEAD</b>	First sponsor: Rep. Nelson	3/26 Senate <u>jud</u> held.
H2116 (Chapter 5): GAME & FISH; BIG GAME PERMITS; GRANDCHILDREN	The list of persons who may transfer a big game permit is expanded to include grandparents who may transfer a permit to a minor grandchild. The minor must be accompanied in the field by the transferring grandparent or the minor's parent or guardian. AS SIGNED BY GOVERNOR.	First sponsor: Rep. Jerry Weiers	4/6 signed by governor. Chap. 5, Laws 2007.
H2117 (Chapter 66): GAME & FISH; BIG GAME PERMITS; TRANSFERS	The list of people to whom a holder of a big game permit may transfer the permit is expanded to include a minor child with a permanent physical disability (defined). If the child is younger than 14, the child must complete the hunter education course offered by Dept of Game and Fish.	First sponsor: Rep. Jerry Weiers	4/16 signed by governor. Chap. 66, Laws 2007.
H2443: OFF-HIGHWAY VEHICLES; USER FEE	Effective July 1, 2008, various changes in statutes related to operation of off-highway vehicles, including a requirement that off-highway vehicles display a sticker (or indicia) issued by the Department of Transportation and that a fee is charged for the indicia. Proceeds from the sale of indicia will be used by the State Land Department to mitigate the impact of vehicles on its land. Off-highway vehicles must have certain equipment and minors operating an off-highway vehicle must wear helmets. Violations are considered civil traffic violations. New license plates are established for off-highway vehicles, which must systematically replace the current plates, and which are no longer valid for the life of the vehicle. Off-highway vehicles are subject to a vehicle license tax of \$3 instead of the regular VLT rate. It is a class 3 misdemeanor to drive an off-highway vehicle off of an existing road or trail in a way that causes damage to wildlife habitat, cultural or natural resources, or property; to drive an off-highway vehicle on closed roads or trails; to operate an off-highway vehicle in connection with acts of vandalism or other crimes; or for anyone other than a government agent to place or remove a regulatory sign governing off-highway vehicle use on any public	First sponsor: Rep. Jerry Weiers	5/1 <b>Senate suspended rule 13A and voted to reconsider 4/26 failure to pass bill. Date of second vote to be set by president.</b>

	or state land. AS PASSED HOUSE.		
HCM2008: URGE PROTECTION; KOFA HERD	Urges Congress to designate the Arizona Game & Fish Commission as lead agency in the management of non-endangered state wildlife and further urges the commission to employ all tools and resources to recover the Kofa National Wildlife Refuge's bighorn sheep population, which has declined from 812 in 2000 to 390 in 2006. AS PASSED HOUSE.	First sponsor: Rep. Jerry Weiers	4/12 passed Senate <u>19-9</u> ; to secretary of state.
S1305: VETERANS; DISABLED; FISHING LICENSES	The Game and Fish Commission may issue complimentary fishing licenses to veterans who are receiving compensation for permanent service connected disabilities rated at least 70% disabling.	First sponsor: Sen. Rios	2/1 from Senate <u>nat res-rural</u> with amend <u>#3107</u> .
S1326: GOLDWATER RANGE; CONCURRENT JURISDICTION	The list of lands on which both the state and the federal government have concurrent criminal jurisdiction is expanded to include the Goldwater Range. AS PASSED HOUSE.	First sponsor: Sen. Leff	5/8 <b>Signed by Governor</b>
S1355: GOLDWATER RANGE; CONCURRENT JURISDICTION	The list of lands for which the federal government may request concurrent criminal jurisdiction with the state is expanded by adding the Barry M. Goldwater Range. <b>DEAD</b>	First sponsor: Sen. Aguirre	2/1 referred to Senate <u>jud</u> .

## Oppose

S1492: LOTTERY PROCEEDS; UNIVERSITY SCHOLARSHIPS	The list of uses of lottery proceeds is expanded by adding a requirement that \$10 million be paid to a university tuition scholarship fund created by this act administered by the Board of Regents. . Possible diversion of Revenue from the Heritage Fund.	First sponsor: <u>Sen. Hale</u> .	1/30 referred to Senate <u>higher ed</u> , <u>appro</u> . <b>DEAD</b>
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## Commission Direction

H2137: GAME & FISH LICENSES; DISABLED VETERANS	The Game and Fish Commission may issue complimentary licenses to veterans who have disabilities rated as less than 100% disabling, but who are rated as individually unemployable (previously, only veterans with disabilities that are 100% disabling were eligible). To qualify for complimentary licenses,	First sponsor: Rep. Rios	1/22 withdrawn from House trans and additionally referred to nat res-pub.
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	disabled veterans must provide a letter from the U.S. Department of Veterans Affairs stating their disability rating.		
H2227: RESTAURANTS; ILLEGAL FEEDING OF WILDLIFE	Patrons of a licensed restaurant are added to the list of situations that do not constitute illegal feeding of wildlife. Retroactive to September 21, 2006.	First sponsor: Rep. McClure	1/18 referred to House jud.
H2781: BUDGET; GENERAL APPROPRIATIONS	The 'feed bill' providing funding for state agencies. Those agencies on biennial budgets are funded for two years; those with one year budgets are funded for fiscal year 07-08. Some representative agencies: AHCCCS gets \$5.5 billion (\$116 million more than in FY07); the attorney general gets \$59.5 million in FY08 and \$58.9 million in fiscal 09; basic state aid (a line item within the budget of the state board of education) increases to \$3.854 billion in FY08 from \$3.0 billion in FY07. AS PASSED HOUSE. INCLUDES 96% OF DEPARTMENT REQUESTS.	First sponsor: Rep. Boone	5/23 referred to Senate appro.
H2783: BUDGET; CAPITAL OUTLAY; APPROPRIATIONS	Funding for capital projects in fiscal 2007-08, including \$245.5 million for state highway construction, \$25 million for airport planning and development; \$16.8 million to the Board of Regents for university construction; and \$6 million for planning and design for Capitol Mall renovation and construction. INCLUDES ALL REQUESTED DEPARTMENT PROJECTS	First sponsor: Rep. McComish	5/24 referred to Senate appro.
H2788: BUDGET RECONCILIATION; ENVIRONMENT	Various statutory and non-statutory provisions related to the environment in the fiscal 07-08 budget, including: the amount in the livestock and crop conservation fund in the Dept of Agriculture that may be used for administration of programs is increased to 10% of the \$2 million annually appropriated from 5%; and \$6.3 million in the assurance account of the underground storage tank revolving fund may be used for administration of the leak prevention program and for the used oil program. More.	First sponsor: Rep. McComish	5/24 referred to Senate appro.
S1026: EXTREME DUI; SENTENCE	Language giving a judge the discretion to suspend all but 10 days of a jail sentence for extreme DUI if the defendant completes a court-ordered alcohol or drug treatment program is deleted.	First sponsor: Sen. Waring	1/25 Senate COW approved with floor amend #3064; amend 3018 was withdrawn.
S1029 (Chapter 219): DUI; EXTREME; 0.20 CONCENTRATION ENHANCEMENT	A person convicted of DUI (BAC of 0.08) shall be ordered to equip any vehicle the person operates with an ignition interlock device for a minimum of 12 months. If a person who is convicted of extreme DUI has a BAC of 0.20 or more (exceeding the extreme DUI threshold of 0.15), sentencing minimums are increased, for example for a first violation the person must serve a minimum of 45 days in jail and pay a \$500 fine (increased from 30 days and \$250); for a second violation within 84 months, the minimums are 180 days in jail and a \$1000 fine (increased from 120 days and \$500). Additionally, for those convicted of extreme DUI with a BAC of less than 0.20, an ignition	First sponsor: Sen. Waring	5/18 signed by governor. Chap. 219, Laws 2007.

	interlock device is required for 18 months; if the BAC is 0.20 or greater, the device is required for 24 months. AS PASSED HOUSE.		
S1086: BUDGET; GENERAL APPROPRIATIONS	The "feed bill" providing funding for state agencies; those on biennial budgets are funded for fiscal 08 and 09; those with one year budgets are funded for fiscal 08. Provisions include a 3% raise for state employees plus 0.25% merit increase. Some representative agencies: AHCCCS is authorized to spend \$5.559 billion (of which \$1.26 billion is from the general fund); the attorney general gets \$46.8 million in FY08 and \$46.3 million in FY09; the Dept of Corrections gets \$757.8 million; basic state aid (a line item within the budget of the state board of education) increases to \$3.846 billion in FY08 from \$3.67 billion in FY07; \$2.25 million to a math and science teacher initiative to provide loans to prospective teachers. Conditional upon the state prevailing in the Flores case, this bill appropriates \$14.3 million in additional ELL weight funding. Monies in excess of \$4.7 million in the Telecommunications Fund Infrastructure Improvements Account are appropriated to the Dept of Administration; however, DOA must submit a report to the JLBC on the intended uses of the monies. Much more. AS PASSED SENATE. <b>INCLUDES 96% OF DEPARTMENT REQUESTS.</b>	First sponsor: Sen. Burns	5/17 referred to House appro.
S1088: BUDGET; CAPITAL OUTLAY; APPROPS; TRIGGERS	Appropriates \$301.7 million for capital projects, including \$241 million for state highway construction and \$25 million for airport planning and development. Also appropriates \$13 million to various state agencies for building renewal. If state revenue exceeds forecasts by stipulated amounts, additional expenditure is authorized for prison water & wastewater projects, a new forensic unit and other improvements at the Arizona State Hospital, and other state building renewal projects. If trigger amounts are not met, the state is authorized to enter into lease-purchase agreements to issue certificates of participation to fund the projects. AS PASSED SENATE. <b>INCLUDES ALL REQUESTED DEPARTMENT PROJECTS</b>	First sponsor: Sen. Burns	5/17 referred to House appro.
S1252 (Chapter 195): EXTREME DUI; SENTENCING	The option for a judge to suspend all but 10 days of the otherwise mandated 30-day jail sentence for first offenders of extreme DUI (BAC of 0.15 or more) if the person completes a court ordered alcohol or other drug treatment program is eliminated. Likewise in the event person had been convicted of a prior extreme DUI within the previous 84 months, the option for a judge to suspend all but 60 days of the otherwise mandatory 120-day jail sentence is eliminated. Additionally, in each case the court may order the defendant to not consume alcohol for a period of time (minimum of 30 days for a first offense; 90 days for a second offense within 84 months) and be monitored daily for alcohol consumption. AS PASSED HOUSE.	First sponsor: Sen. Waring	5/8 signed by governor. Chap. 195, Laws 2007.

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## LEGEND

- Commission Direction – The Game and Fish Commission has given direction to the Department on these bills OR the department would like to address the commission about these bills.
- Oppose – The Game and Fish Commission has voted to oppose these bills.
- Support – The Game and Fish Commission has voted to support these bills.

AMEND C&P Constitutional and Proper as Amended by the House Rules Committee

APPROP Appropriations Committee

AGFD Arizona Game and Fish Department

C&P Constitutional and Proper

COW Committee of the Whole

DP Do Pass

DPA Do Pass as Amended

GF General Fund

GOV Government Committee

GR Government and Retirement Committee

H House Bill

HCR House Concurrent Resolution

HHR House Hearing Room

Hse. House of Representatives

JUD Judiciary Committee

PFC Proper for Consideration

PFCA Proper for Consideration as Amended by the Senate Rules Committee

S Senate Bill

S/E Strike Everything Amendment

Sen. Senate

SHR Senate Hearing Room

WM Ways and Means Committee

If you have questions relating to legislation, please contact AGFD Legislative Liaison  
Tony Guiles at (602) 789-3280 or via email at [aguiles@azgfd.gov](mailto:aguiles@azgfd.gov)

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Legislative Affairs  
*Weekly Report*